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enclosed in full-faced brackets all passages that Lord Sheffield inserted and in thin-faced brackets the parallel passages in the other narratives, and then provided marginal cross-references. Mr. Murray's method is less precise and he has failed to carry it out correctly; *e. g.*, compare p. 355 with R. T., p. 45. Again, a passage in F, p. 37, is not bracketed, while the earlier version, B. 156, is in brackets; but neither of them is in R. T., p. 63.

Mr. Prothero's management of the text is to be commended, and both editors have added useful notes in explanation of the literary references which would puzzle the modern reader.

EDWARD GAYLORD BOURNE.

Governments and Parties in Continental Europe. By A. LAWRENCE LOWELL. (Boston and New York: Houghton, Mifflin and Co. 1896. Two vols., pp. viii, 376; viii, 455.)

THIS book contains an account of the origin of the existing constitutions of the five states of France, Italy, Germany, Austria-Hungary and Switzerland; a description of the present government in each state, with a pretty full account of the local governments as well as the general governments; a brief history of the political parties in each state and a description of their present organization. Even as a mere summary of useful information conveniently arranged the work has a high degree of merit. The real object of the author, however, is not a compilation of useful information; it is rather an original study of the actual politics of the day. The history and description are subordinate to the illustration of present political life. The author has in view both English and American readers. There is a frequent reference to English and American politics and a constant comparison of Anglo-Saxon and Continental institutions.

The author appears at his best in seizing upon and setting forth the characteristic features of the different states. In France there has grown up a system of centralized administration which holds together in spite of revolution. In a negative way the administrative system is a cause of revolution. Once this system is in the hands of a party in the state, the opposing party can again secure a share in the government only by recapturing the administrative machinery, that is, by a revolution. In Italy the Liberators, who at the time of the revolution of 1861 were strongly republican in their political convictions, became faithfully devoted to the support of the monarchy; while in France believers in monarchy were induced to support the Republic. Those, however, in France who remain open enemies of the Republic take an active part in politics; they hold seats in Parliament, and appear so formidable as to compel men of widely divergent political opinions to act together. In Italy, on the other hand, the papal party hold aloof from national politics, do not vote or hold office. The liberals therefore have a free hand in the national legislature, and the result is that, not being confronted by their enemies, they break up into small groups, or into formidable factions.

Germany is a state instinct with the spirit of monarchy. Monarchists in France support a republic; republicans in Italy support a monarchy. But in Germany both the people and the government are believers in monarchy. Even the socialists do not attack the monarchy. The unique creation of recent German politics is the office of chancellor. The king of Prussia and the emperor of Germany are one and the same individual, but the legislature of Prussia and the legislature of the empire are entirely distinct entities. There are likewise diverse administrative systems, and such are the relations of the government of Prussia to the empire that it is quite essential that there should be at the head of both one guiding hand. So long as the old emperor lived, he and the chancellor together furnished the one guiding hand, and the hand was the hand of Bismarck. The young emperor introduced duality and confusion into this office, which threatened serious constitutional changes. The office of chancellor, however, still remains, and the emperor is compelled to find an administrative chief who can work in harmony with himself and two distinct legislatures.

In Austria Mr. Lowell finds "a museum of political curiosities,"—a dual state with a number of theoretically impossible, or at least improbable, political institutions. Yet, thanks to a common hatred of the Turks on the one side and the special fear of Russia on the other, these people work their dual institutions with a good degree of success.

The author devotes little space to mere glittering generalities. The characteristic features are worked out in detail. A good deal of attention is given to local government in each state, to the judicial systems, and to political parties in their relations to the voters as well as in their relations to the legislatures. The five Continental states described have each of them strongly marked and apparently permanent characteristics. When one state has attempted to copy from another there is either failure or material modification. In each state the successful institutions are those which have grown out of local conditions. Distinct as the states are, they are all strongly contrasted with the Anglo-Saxon world. Centuries of training under the development and administration of the common law have left marks upon the political institutions of the English-speaking race. Mr. Lowell has elaborated this distinction in his treatment of France, but the same characteristic points of difference appear throughout the work.

In the Anglo-Saxon world the courts of law have a position of power and influence which is nowhere else accorded to them. This reaches its highest illustration in the United States, where a court is made the final interpreter of our constitutions, state and national. In America the ordinary court protects the citizen both from the legislature and from the executive. In England the ordinary court protects the citizen from unlawful acts of the executive. In Continental Europe the ordinary court protects the citizen neither from the legislature nor from the executive. True, in Switzerland a citizen may, under certain conditions, sue an executive officer. But apart from this, if a citizen on the Continent is

injured by unlawful acts of a public officer he has no redress whatever in the ordinary courts. There is a sharp line of distinction between private and public law. The ordinary courts attend to grievances of private citizens; they have nothing to do with public officers. There are executive councils or administrative courts which attend to complaints against public officers. This distinction between public and private law holds in Switzerland as elsewhere on the Continent. Mr. Lowell refers to Montesquieu's dictum as to the importance of separating legislative, executive and judicial powers. The doctrine was accepted both in France and in America, but in the two countries the words had a wholly different meaning. In France they mean "that the administration ought to be free to act for the public good without let or hindrance from the courts of law." With the growth of democracy on the Continent there seems to be little tendency to break down this distinction between private and public law, and the permanence of the distinction naturally makes a marked difference in the distribution of governmental powers.

If the executive is supreme in the interpretation of its own acts it is virtually supreme in the making of the laws which govern the conduct of executive officers. Large fields of legislation which in England or America are religiously kept in the hands of the legislature are on the Continent left to the executive. Law-making is greatly simplified. The statutes are brief declarations of the general intentions of the legislature, while the details are expected to be filled out and the defects removed by administrative councils and the interpretations of administrative courts. Often the legislature simply directs the executive to make and execute a body of rules pertaining to a given subject. Even the voting of taxes is sometimes left to the executive. To Anglo-Saxon prejudice this would mean tyranny and oppression. But to dwellers in France it means nothing of the sort. The executive as such is feared no more than the legislature or the courts. It is simply a different method of governmental action. It may be as popular, as democratic, as any other method.

Mr. Lowell manifests the true prophetic spirit of the contemporary historian, and forecasts for us the probable future development of the various states discussed. In the case of France and Italy there is an apparent tendency to prophecy in favor of the development of the English cabinet system. The facts and observations cited may, however, easily be so interpreted as to lead to a different conclusion. The English cabinet system requires an artificial division into two political parties, while everywhere on the Continent the prevailing tendency seems to be in the direction of permanent political groups guarding, or representing, special interests. The fusion of so large a share of what Englishmen and Americans would call judicial and legislative business into the executive will render permanently inapplicable many of the features of the English system. Notwithstanding the English cabinet does in fact attend to both legislative and executive business, the two kinds of business are never-

theless kept as distinct as they are in America. The cabinet in the business of directing legislation is quite distinct from the cabinet engaged in the business of administration. Parliament makes laws for the government alike of all public officers and of all private citizens. A cabinet officer may be arraigned before an ordinary court and punished for the violation of a law which, as a cabinet officer, he assisted in formulating. In France or Italy the case is different. Law-making is not the extensive and serious business that it is in England. Cabinet officers on the Continent in their capacity as administrative officers attend to a large part of the business which is attended to by Parliament. In England the point of chief political interest is in legislation. On the Continent a much larger share of political interest centers in administration. For these and other reasons there is likely to be a permanent difference in the alignment of political parties and the development of the forms of administrative agencies.

Our author thinks it will be a long time before the representatives of the people obtain direction of public affairs in Germany. Yet in the book as a whole there is much encouragement for the democrat. In the dual monarchy the state of Hungary, through a sort of democratic training, manages to exert seventy per cent. of the political influence of the empire and to pay only thirty per cent. of the taxes. Democracy is not limited to one form or two forms of government. Sir Henry Maine, in his defence of monarchy, spoke of democracy as simply one form of government. But the Anglo-Saxons have created two distinct forms of democratic government. Surely the Swiss have a form of democracy that is neither English nor American in its essential characteristics. The people of Italy have concluded to treat monarchy as a mere form of government—one of the many forms which democrats may employ in getting their will executed.

JESSE MACY.

The Colonial Tavern: a Glimpse of New England Town Life in the Seventeenth and Eighteenth Centuries. By EDWARD FIELD. (Providence: Preston and Rounds. 1897. Pp. viii, 296.)

THE tavern was certainly an institution in the New England colonies. Modeled in general after the English pattern, it easily accommodated itself to the necessities of our pioneer settlements and became a conspicuous and indispensable feature in their development. Hitherto the subject has received incidental attention in town histories and in the proceedings of local societies, but with the growth of historical inquiry and research there has come to be a demand for a comprehensive work treating of the tavern as it was in relation to society and politics, to trade and travel. Such a book Mr. Field has now given us. His previous publications relating to certain points in Rhode Island history no doubt brought to light the possibilities of a treatise like this, upon which he has evidently bestowed considerable labor. He divides the subject into eight